

1
2
3
4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 IN RE: PHENYLPROPANOLAMINE
8 (PPA) PRODUCTS LIABILITY
9 LITIGATION,

MDL NO. 1407

SUGGESTION OF REMAND
ORDER

10 This document relates to:

11 *Donnelly v. Bayer Corp.*, C02-
12 2527;

13 *Laster v. Metabolife Interna-*
14 *tional, Inc.*, C02-1365

Miles v. Bayer Corp., C03-225

15 The Court, having reviewed the records of the cases listed
16 above, finds and rules as follows:

17 These cases will not benefit from further coordinated
18 proceedings as part of MDL 1407, as fact discovery deadlines have
19 passed on their PPA-related claims. Moreover, the cases include
20 claims arising from alleged ephedra-related injuries in addition
21 to the PPA claims. The cases should be remanded or transferred
22 as the Judicial Panel on Multidistrict Litigation deems appropri-
23 ate for further proceedings on the remaining ephedra claims.

24 For these reasons, pursuant to Rule 7.6 of the Rules of
25 Procedure of the Judicial Panel on Multidistrict Litigation, the
26

ORDER

Page - 1 -

1 Court issues its Suggestion of Remand Order in the cases listed
2 above. The Clerk is ORDERED to provide copies of this Order to
3 the Clerk of the Judicial Panel on Multidistrict Litigation.

4 DATED at Seattle, Washington this 20th day of October, 2004.
5

6 s/ Barbara Jacobs Rothstein
7 BARBARA JACOBS ROTHSTEIN
8 UNITED STATES DISTRICT JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26